
HOUSE BILL No. 1263

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-30-2-156.5; IC 36-8-23.

Synopsis: Immunity for fast responders. Provides that if: (1) a county adopts an ordinance approving the provision of community fast responder services; and (2) the nonprofit corporation directing the provision of community fast responder services maintains a certain level of insurance; the liability of a community fast responder is limited to the amount of insurance. Provides that the liability of a community responder nonprofit corporation is \$300,000. Makes conforming amendments.

Effective: July 1, 2010.

Brown C, Grubb

January 12, 2010, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1263

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-30-2-156.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: **Sec. 156.5. IC 36-8-23 (Concerning**
4 **community fast responders).**

5 SECTION 2. IC 36-8-23 IS ADDED TO THE INDIANA CODE AS
6 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2010]:

8 **Chapter 23. Fast Responder**

9 **Sec. 1. As used in this chapter, "community fast responder"**
10 **means a volunteer who may be summoned to perform**
11 **cardiopulmonary resuscitation, defibrillation, or other emergency**
12 **services under the direction of a nonprofit corporation.**

13 **Sec. 2. As used in this chapter, "community fast responder**
14 **nonprofit corporation" means a nonprofit corporation that**
15 **organizes or directs community fast responders.**

16 **Sec. 3. IC 34-30-12-1 (the good Samaritan statute) applies to a**
17 **community fast responder.**



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1 **Sec. 4. (a) This section applies if:**

2 **(1) a county adopts an ordinance approving the provision of**
 3 **community fast responder services by a community fast**
 4 **responder nonprofit corporation; and**

5 **(2) the community fast responder nonprofit corporation**
 6 **purchases an insurance policy described in subsection (b).**

7 **(b) A community fast responder nonprofit corporation shall**
 8 **purchase an insurance policy that provides at least three hundred**
 9 **thousand dollars (\$300,000) of insurance coverage for the liability**
 10 **of all of the community fast responders for bodily injury or**
 11 **property damage caused by the community fast responders acting**
 12 **in the scope of their duties.**

13 **(c) The civil liability of a community fast responder for:**

14 **(1) an act that is within the scope of a community fast**
 15 **responder's duties; or**

16 **(2) the failure to do an act that is within the scope of a**
 17 **community fast responder's duties;**

18 **while performing emergency services or while traveling to the**
 19 **scene of an emergency or from the scene of an emergency is limited**
 20 **to the coverage provided by the insurance policy purchased under**
 21 **this section, unless the act or failure to act constitutes gross**
 22 **negligence or willful or wanton misconduct. A community fast**
 23 **responder is not liable for punitive damages for any act that is**
 24 **within the scope the community fast responder's duties.**

25 **(d) The civil liability of a community fast responder nonprofit**
 26 **corporation is limited to three hundred thousand dollars (\$300,000)**
 27 **for an act or omission that does not constitute gross negligence or**
 28 **willful or wanton misconduct. A community fast responder**
 29 **nonprofit is not liable for punitive damages.**

30 **Sec. 5. A county that adopts an ordinance under section 4(a)(1)**
 31 **of this chapter is immune from civil liability in accordance with**
 32 **IC 34-13-3-3.**

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